

## **Following These Simple Rules Will Keep You Out of Jail**

*By John F. James, Claims and International Law Attorney*

What are the most common criminal offenses committed by Army personnel and their Family Members on Okinawa? The answer: speeding (30 KPH and more over the speed limit), causing personal injury by negligent operation of a vehicle, driving while intoxicated, unlicensed driving, driving without insurance, and fleeing the scene of an accident. Driving on Okinawa can be quite a daunting challenge for Americans who are not used to driving on the left side of narrow roadways. However, most of these crimes are not due to unfamiliarity with driving in Okinawa but due to an intentional disregard of the law. By following the below 10 rules most vehicle related crimes can be eliminated:

1. Don't drive after consumption of alcohol. Walk, take a taxi or bus, or get a ride with someone who has not been drinking. DUI fines are very steep in Japan and the body alcohol concentration threshold to violate the law is very low. Even one drink could put you over the legal limit. If you cause injury while DUI you could face doing time in prison.

2. Don't drive after pulling an "all nighter". Three years ago two Soldiers were killed when the driver of their car fell asleep after being up all night. The driver was prosecuted for vehicular manslaughter. Once again, walk, take a cab or bus, or find someone who has not been up all night. Always carry extra money in case you need a taxi.

3. Don't leave the scene of an accident until the police have arrived and have given you permission to leave. Fleeing the scene will turn an infraction or misdemeanor that could have been handled by a fine into a more serious offense that could result in prison time. Fleeing never works, you will be caught, there is nowhere to hide on this small island, and your "Y" number will be captured by a camera or a witness and you will be tracked down in quick fashion. Make sure your cell phone is programmed with emergency phone numbers for military police and towing services. Also keep these numbers in your car and wallets.

4. Don't drive without a valid USFJ license (international driving licenses cannot be used for driving SOFA "Y" plated cars). The Japanese fine for driving without a license can cost you 200,000 yen (\$2000).

5. Don't drive without the required Japanese compulsory insurance and supplemental property insurance. Not only will you be fined and lose your license but if you are in an accident you will have to pay any damage you cause out of your own funds, which can easily be several thousand dollars.

6. Don't speed. Fines are very steep and will result in loss of license. Speed traps and cameras are everywhere and are routinely set up on Route 74 near Gate 3 of

Kadena AB, on Hwy 58 from Gate 1 Kadena AB to Yomitan and on the expressway. Speed also results in more serious accidents and crimes.

7. Don't drive aggressively. Okinawa is a small congested island where buses, trucks, sedans, moped, bicyclists, power chairs, and pedestrians must coexist safely. The low speed limits and endless string of traffic lights are here for a reason, to reduce accidents. Weaving in and out of traffic or tailgating cars will result in accidents which will likely result in a whiplash or other injury and will subject you to criminal prosecution for professional negligence.

8. Don't loan your car to someone who is not sober or who has pulled an "all nighter" or who does not have a USFJ license. If this person gets into an accident you could be held criminally responsible if you gave your keys to a drunk, sleepy, or unlicensed driver. If the person is not a member of your immediate family, then you should provide written permission to drive to ensure you will have insurance coverage if they get in an accident.

9. Don't park and leave your car unattended in front of the Naha Airport terminal, park in the designated parking spaces, lots and garages. Just as in America, after Sep 11, 2001, parking in front of terminals is forbidden and is strictly enforced. This applies to both private and government vehicles. Parking fines and towing fees are very expensive and calling your 1SG and stating the government vehicle you were driving has been towed away will probably not be a pleasant experience.

10. Don't "rip off" private pay parking lots by not paying or forcing your way thru controlled exits. These lots usually have security cameras and you can expect to spend a few nights in an Okinawa jail until you have paid for your damage.

As a final note, I would encourage everyone to be courteous drivers, which is often not easy, given our hectic schedules. We are all ambassadors of the US and our Y plates make it clear for all to see that we are "Yanks". Nothing gives me more pleasure than to stop and allow an Okinawa driver into a line of traffic, especially after several kanji plated cars have ignored the driver's plight. The look on the driver's face when he or she sees that a Y plated vehicle is their Good Samaritan is very rewarding. Also please report all traffic accidents promptly to your insurance company so the victims can be promptly compensated. Delays in reporting will generate a complaint which will be passed down through your chain of command for resolution.